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Proceedings include all events.

3:00cv800 Cooper Industries, et al v. Lagrand Tire Chains, et al

U.S. District Court
U.S. District Court for the District of Oregon (Portland)

CIVIL DOCKET FOR CASE #: 00-CV-800

Cooper Industries, et al v. Lagrand Tire Chains, et al Filed: 06/12/00

Assigned to: Honorable Ancer L Haggerty

Demand: \$731,000

Nature of Suit: 470

Lead Docket: None

Jurisdiction: Diversity

Dkt# in other court: None

Cause: 18:1964 Racketeering (RICO) Act

COOPER INDUSTRIES INCORPORATED
Plaintiff

John P Crowell
[COR LD NTC]
888 SW Fifth Ave
Suite 870
Portland, OR 97204-2019
503-222-4455

William D Robison
[COR LD NTC]
Morse & Bratt
1111 Main St, Suite 600
PO Box 61566
Vancouver, WA 98666
360-699-4780
FTS 699-4839

COOPER TOOLS DIVISION
Plaintiff

John P Crowell
(See above)
[COR LD NTC]

William D Robison
(See above)
[COR LD NTC]

v.

LAGRAND TIRE CHAINS
Defendant

LAGRAND COMPANIES
Defendant

LAGRAND INDUSTRIAL CHAIN
SUPPLY

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Defendant

LAGRAND TRACTION PRODUCTS
Defendant

LAGRAND PROTECTION CHAINS
Defendant

LAGRAND SHOE CHAINS
Defendant

LAGRAND SKIDDER TIRE CHAINS
Defendant

LAGRAND STEEL COMPANY
Defendant

LAGRAND STEEL CORP
Defendant

BRIAN M LAGRAN, Individually
& as husband & wife
Defendant

DIANNE LAGRAN, Individually &
as wife & husband
Defendant

Bradley O Baker
[COR LD NTC]
1500 SW First Ave
Suite 920
Portland, OR 97201
503-241-5546
FTS 241-7014

RICHARD HAGERTY
Defendant

James L Hiller
[COR LD NTC]
Hitt & Hiller
510 SW 3rd Ave
Suite 309
Portland, OR 97204
503-228-8870

JOHN HART
Defendant

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ALLWEST TRANSPORT	James L Hiller
aka	(See above)
Allwest Transport & Chain	[COR LD NTC]
Defendant	

ALL-WEST TRANSPORT INC	James L Hiller
Defendant	(See above)
	[COR LD NTC]

ALL-WEST TRANSPORT II, LLC	James L Hiller
Defendant	(See above)
	[COR LD NTC]

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6/12/00 1 COMPLAINT (Cause Code: 18:1964) (Receipt # 430947)
summons (26) issued to Defendants (including John Doe, Jane Doe, etc). (tely) [Entry date 06/13/00]

6/12/00 2 DISCOVERY ORDER AND ORDER REQUIRING JOINT STATUS REPORT
discovery due 10/10/00 Joint status report due 10/10/00
pretrial order due 11/9/00 (tely) [Entry date 06/13/00]

6/16/00 3 APPLICATION FOR SPECIAL ADMISSION PRO HAC VICE by attorney
WILLIAM D ROBISON; Local Counsel: JOHN P CROWELL
representing Plaintiff Cooper Industries ; Fee paid,
receipt # 431014; Approved 6/16/00 by Honorable Ancer L.
Haggerty (counsel notified) (tely)

7/14/00 4 APPEARANCE OF ATTORNEY for Richard Hagerty, Allwest
Transport, All-West Transport I, All-West Transp II by
Peter Joseph Mozena (tely)

8/1/00 5 MOTION by Plaintiffs ISSUANCE OF PROVISIONAL PROCESS (tely)

8/1/00 6 AFFIDAVIT by Plaintiffs of Robert J Hanis re: MOTION
ISSUANCE OF PROVISIONAL PROCESS [5-1] (tely)

8/1/00 7 AFFIDAVIT by Plaintiffs of William D Robison re: MOTION
ISSUANCE OF PROVISIONAL PROCESS [5-1] (tely)

8/1/00 8 INTRODUCTION TO UNITED STATES MARSHAL filed by Plaintiffs
(tely)

8/1/00 9 ORDER by Honorable Ancer L. Haggerty GRANTING Plaintiffs
MOTION ISSUANCE OF PROVISIONAL PROCESS [5-1] Signed
8/1/00 (counsel notified) (tely)

8/1/00 10 TEMPORARY RESTRAINING ORDER Defendant is restrained from
injuring, destroyed, transferring, removing or otherwise
disposing of the property until further Order of the Court.
Defendant shall appear for an order to show cause hearing
set for 9:30am on 8/8/00 to show cause, if any, why the
Restraining Order should not be continued during the
pendency of this action Honorable Ancer L. Haggerty (tely)

8/1/00 11 ORDER TO SHOW CAUSE by Honorable Ancer L. Haggerty
Defendants Brian LaGrand & Richard Hagerty appear before
this Court on 8/8/00 at 9:30am to show cause, why the Writs
of Attachment & TRO Orders issued should not remain in
force against the property in the possession of the
Defendants located at J&R Distributing Signed 8/1/00
(counsel notified) (tely)

8/1/00 12 ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT (see file) by
Honorable Ancer L. Haggerty Signed 8/1/00 (counsel
notified) (tely)

8/1/00 13 Writ Of Attachment issued s/Deputy Clerk M DeLap (tely)

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8/1/00 14 MOTION by Plaintiffs FOR ORDER FOR APPOINTMENT OF
SUBSTITUTE CUSTODIAN (tely) [Entry date 08/02/00]

8/2/00 15 ORDER by Honorable Ancer L. Haggerty GRANTING Plaintiffs
MOTION FOR ORDER FOR APPOINTMENT OF SUBSTITUTE CUSTODIAN of
J & R Storgage as substitute custodian [14-1] Signed 8/1/00
(counsel notified) (tely)

8/3/00 16 RETURN OF SERVICE EXECUTED upon Defendant Lagrand
Protection on 7/8/00 (tely)

8/3/00 17 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Companies
on 7/8/00 (tely)

8/3/00 18 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Tire
Chains on 7/8/00 (tely)

8/3/00 19 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Ind Chain
on 7/8/00 (tely)

8/3/00 20 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Steel Co
on 7/8/00 (tely)

8/3/00 21 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Traction
on 7/8/00 (tely)

8/3/00 22 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Shoe
Chains on 7/8/00 (tely)

8/3/00 23 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Steel
Corp on 7/8/00 (tely)

8/3/00 24 RETURN OF SERVICE EXECUTED upon Defendant Lagrand Skidder
Tire on 7/8/00 (tely)

8/3/00 25 RETURN OF SERVICE EXECUTED upon Defendant Richard Hagerty
on 7/8/00 (tely)

8/3/00 26 RETURN OF SERVICE EXECUTED upon Defendant Allwest Transport
on 7/8/00 (tely)

8/3/00 27 RETURN OF SERVICE EXECUTED upon Defendant All-West
Transport Inc on 7/8/00 (tely)

8/3/00 28 RETURN OF SERVICE EXECUTED upon Defendant All-West Transp
II on 7/8/00 (tely)

8/3/00 29 RETURN OF SERVICE EXECUTED upon Defendant Dianne Lagrand
on 7/8/00 (tely)

8/3/00 30 RETURN OF SERVICE EXECUTED upon Defendant Brian M Lagrand on 7/8/00 (tely)

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8/3/00 31 AFFIDAVIT OF SERVICE by Plaintiff of service re: order [12-1], order [11-1], temporary restraining order order [10-1], order [9-1], notice [8-1], affidavit [7-1], affidavit [6-1], MOTION ISSUANCE OF PROVISIONAL PROCESS [5-1], MOTION FOR ORDER FOR APPOINTMENT OF SUBSTITUTE CUSTODIAN [14-1] (tely)

8/4/00 32 ANSWER, CROSS CLAIM & COUNTERCLAIM by Defendants Richard Hagerty, Allwest Transport, All-West Transport I, All-West Transp II to complaint [1-1] (tely)

8/4/00 33 AFFIDAVIT/CERTIFICATE OF SERVICE of answer [32-1] by Defendants Hagerty & All-West (tely)

8/4/00 34 SUPPLEMENTAL AFFIDAVIT OF SERVICE filed by Plaintiffs re affidavit [31-1] (tely)

8/7/00 35 RETURN OF SERVICE EXECUTED upon Defendant Brian M Lagrand on 8/2/00 (tely) [Entry date 08/08/00]

8/7/00 36 RETURN OF SERVICE EXECUTED on J & R Distributing on 8/2/00 (tely) [Entry date 08/08/00]

8/8/00 37 RECORD OF PROCEEDINGS Of Order To Show Cause before Honorable Ancer L. Haggerty No appearance on behalf of LaGrand Defendnats. Order for Preliminary Injunction signed (counsel notified) Court Rptr Liz Kauble (tely)

8/8/00 38 PRELIMINARY INJUNCTION Court finds that Plaintiff will likely prevail on the merits, that the balance of petential harm favors the Plaintiff & that the public interest favors continuing the injunctive relief. ORDERS that the writ of attachment, temporary restraining order currently in force as to certain personal property shall remain in full force & effect during the pendency of this litigation & issues this preliminary injunction (see file). signed 8/8/00 microfilmed & eod 8/8/00 Honorable Ancer L. Haggerty (tely)

8/9/00 39 REPLY by Plaintiff's to Counterclaim of Defendants Hagerty & All West Transport [32-1] (tely)

8/17/00 40 MOTION by Plaintiffs FOR ENTRY OF DEFAULT AS TO Lagrand Tire Chains, Lagrand Companies, Lagrand Ind Chain, Lagrand Traction, Lagrand Protection, Lagrand Shoe Chains, Lagrand Skidder Tire, Lagrand Steel Co, Lagrand Steel Corp, Brian M Lagrand (tely) [Entry date 08/18/00]

8/17/00 41 AFFIDAVIT by Plaintiffs of William D Robison re: MOTION FOR

ENTRY OF DEFAULT AS TO Lagrand Tire Chains, Lagrand Companies, Lagrand Ind Chain, Lagrand Traction, Lagrand Protection, Lagrand Shoe Chains, Lagrand Skidder Tire, Lagrand Steel Co, Lagrand Steel Corp, Brian M Lagrand [40-1] (tely) [Entry date 08/18/00]

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8/18/00 42 ORDER by Honorable Ancer L. Haggerty GRANTING Plaintiffs MOTION FOR ENTRY OF DEFAULT AS TO Lagrand Tire Chains, Lagrand Companies, Lagrand Ind Chain, Lagrand Traction, Lagrand Protection, Lagrand Shoe Chains, Lagrand Skidder Tire, Lagrand Steel Co, Lagrand Steel Corp, Brian M Lagrand Signed 8/18/00 (counsel notified) (tely) [Entry date 08/21/00]

9/12/00 43 MOTION by Plaintiff FOR DEFAULT JUDGMENT AGAINST Lagrand Tire Chains, Lagrand Companies, Lagrand Ind Chain, Lagrand Traction, Lagrand Protection, Lagrand Shoe Chains, Lagrand Skidder Tire, Lagrand Steel Co, Lagrand Steel Corp, Brian M Lagrand (tely)

9/12/00 44 AFFIDAVIT by Plaintiff of William D Robison re: MOTION FOR DEFAULT JUDGMENT AGAINST Lagrand Tire Chains, Lagrand Companies, Lagrand Ind Chain, Lagrand Traction, Lagrand Protection, Lagrand Shoe Chains, Lagrand Skidder Tire, Lagrand Steel Co, Lagrand Steel Corp, Brian M Lagrand [43-1] (tely)

9/12/00 45 MOTION by Plaintiffs FOR ATTORNEY FEES (tely)

9/12/00 46 COST BILL by Plaintiffs (tely)

9/18/00 57 MOTION by Defendants Richard Hagerty, Allwest Transport FOR ENTRY OF DEFAULT AS TO DEFENDANTS LAGRAN TIRE CHAINS, LAGRAN COMPANIES, LAGRAN INDUSTRIAL CHAIN SUPPLY, LAGRAN PROTECTION CHAINS, LAGRANDE SHOE CHAINS, LAGRAN STEEL COMPANY, LAGRAN STEEL CORP & BRIAN LAGRAN (tely) [Entry date 11/02/00]

9/18/00 58 AFFIDAVIT by Defendants Richard Hagerty, Allwest Transport of Peter J Mozena re: MOTION FOR ENTRY OF DEFAULT AS TO DEFENDANTS LAGRAN TIRE CHAINS, LAGRAN COMPANIES, LAGRAN INDUSTRIAL CHAIN SUPPLY, LAGRAN PROTECTION CHAINS, LAGRANDE SHOE CHAINS, LAGRAN STEEL COMPANY, LAGRAN STEEL CORP & BRIAN LAGRAN [57-1] (tely) [Entry date 11/02/00]

9/19/00 47 FINDINGS OF FACT and CONCLUSIONS OF LAW re MOTION FOR DEFULALT JUDGMENT on contractual claims only & GRANTING Bill of Costs [46-1] & MOTION FOR ATTORNEY FEES in the amount of \$11,055.00 [45-1] by Honorable Ancer L. Haggerty s/ HA 9/19/00 (cc: Counsel notified) (tely) [Entry date 09/20/00]

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9/19/00 48 DEFAULT JUDGMENT-contractual claims only- GRANTING MOTION FOR DEFAULT JUDGMENT AGAINST Lagrand Tire Chains, Lagrand Companies, Lagrand Ind Chain, Lagrand Traction, Lagrand Protection, Lagrand Shoe Chains, Lagrand Skidder Tire, Lagrand Steel Co, Lagrand Steel Corp, Brian M Lagrand [43-1] in the principal amount of \$731,806.06 together with interest from 3/25/00 to 9/16/00 at the rate of 8% totaling \$28,146.50, attorney fees in the sum of \$11,055.00 & costs of \$650.00 [45-1] [46-1] Signed 9/17/00 Honorable Ancer L. Haggerty (cc: Counsel notified) (tely) [Entry date 09/20/00]

10/2/00 49 SUBSTITUTION of Attorney James L Hiller replacing Peter J Mozena for Defendants All-West & Hagerty (tely)

10/18/00 50 STIPULATED MOTION by Plaintiffs TO EXTEND DISCOVERY AND JOINT STATUS REPORT DEADLINES (tely)

10/18/00 51 AFFIDAVIT by Plaintiffs of William D Robison re: MOTION TO EXTEND DISCOVERY AND JOINT STATUS REPORT DEADLINES [50-1] (tely)

10/19/00 52 ORDER by Honorable Ancer L. Haggerty GRANTING Plaintiffs MOTION TO EXTEND DISCOVERY AND JOINT STATUS REPORT DEADLINES [50-1]. Discovery ddl set for 12/10/00; Joint Status Report set for 12/10/00 Signed 10/18/00 (counsel notified) (tely) [Entry date 10/20/00]

10/25/00 53 MOTION by Plaintiff FOR ENTRY OF DEFAULT AS TO Dianne Lagrand (tely)

10/25/00 54 AFFIDAVIT by Plaintiff of William D Robison re: MOTION FOR ENTRY OF DEFAULT AS TO Dianne Lagrand [53-1] (tely)

10/25/00 55 CERTIFICATE OF SERVICE of affidavit [54-1], MOTION FOR ENTRY OF DEFAULT AS TO Dianne Lagrand [53-1] by Plaintiff (tely)

10/25/00 56 SUMMONS ISSUED as to Defendant Dianne Lagrand (tely) [Entry date 10/26/00]

10/30/00 59 RECORD OF ORDER by Honorable Ancer L. Haggerty RULING on Defendants Hagerty & All West's MOTION FOR ENTRY OF DEFAULT AS TO DEFENDANTS LAGRAN TIRE CHAINS, LAGRAN COMPANIES,

LAGRAND INDUSTRIAL CHAIN SUPPLY, LAGRAN PROTECTION CHAINS, LAGRANDE SHOE CHAINS, LAGRAN STEEL COMPANY, LAGRAN STEEL CORP & BRIAN LAGRAN [57-1] is deferred until an certificate of service by Defendants Hagerty & All West showing that their cross-claim was filed on these Defendants (counsel notified) Court Rptr none (tely) [Entry date 11/02/00]

11/8/00 60 ANSWER by Defendant Dianne Lagrand to complaint [1-1] (tely)

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12/1/00 61 MOTION by Plaintiffs TO EXTEND DISCOVERY TO 1/10/01 (tely)

12/13/00 62 RECORD OF ORDER by Honorable Ancer L. Haggerty the Court will deem Plaintiffs MOTION FOR ENTRY OF DEFAULT AS TO Dianne Lagrand [53-1] as MOOT because she had filed an answer in this case (counsel notified) Court Rptr none (tely) [Entry date 12/14/00]

12/15/00 63 RECORD OF ORDER by Honorable Ancer L. Haggerty the Court will deem Defendants MOTION FOR ENTRY OF DEFAULT AS TO DEFENDANTS LAGRAN TIRE CHAINS, LAGRAN COMPANIES, LAGRAN INDUSTRIAL CHAIN SUPPLY, LAGRAN PROTECTION CHAINS, LAGRANDE SHOE CHAINS, LAGRAN STEEL COMPANY, LAGRAN STEEL CORP & BRIAN LAGRAN [57-1] MOOT as counsel has withdrawn this motion (counsel notified) Court Rptr none (tely)

[END OF DOCKET: 3:00cv800]

